

1 The Honorable Tana Lin
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10 UNITED STATES DISTRICT COURT
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BUNGIE, INC.,

Plaintiff,

v.

ELITE BOSS TECH INCORPORATED,
11020781 CANADA INC., DANIEL
FAGERBERG LARSEN, ROBERT JAMES
DUTHIE NELSON, SEBASTIAAN JUAN
THEODOOR CRUDEN A/K/A
“LUZYPER,” JOHN DOE NO. 4 A/K/A
“GOODMAN,” YUNXUAN DENG A/K/A
“YIMOSECAI,” ANTHONY ROBINSON
A/K/A “RULEZZGAME,” EDDIE TRAN
A/K/A “SENTIENT”, CHENZHIJIE CHEN
A/K/A “CHENZHIJIE402, DSOFT, CVR
37454303, MARTA MAGALHAES A/K/A
MINDBENDER A/K/A BLUEGIRL, AND
JOHN DOES NO. 9-20,

Defendants.

Case No. 2:21-cv-01112-TL

DECLARATION OF JAMES BARKER
IN SUPPORT OF MOTION TO SEAL

1. I am the Deputy General Counsel of Bungie, Inc (“Bungie”). I have supervised
Bungie’s strategic litigation against anticheat circumvention products since 2020 and have
attended every deposition, interview, or proceeding yet conducted by Bungie against cheat
manufacturers. I submit this declaration in support of Plaintiff’s Motion to Seal. The facts stated

DECLARATION OF JAMES

BARKER- 1

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herein are true based on my personal knowledge and review of corporate documents and information, and I could and would testify competently thereto if called to do so.

2. I have personally reviewed Bungie's draft Motion for Default Judgment against Defendant Daniel Fagerberg Larsen, along with the declarations of Patrick Schaufuss and Steven Guris in support of that motion. Both the Guris Declaration and Schaufuss Declaration contain specific non-public details of how the Defendants in this action were able to develop a working cheat for our *Destiny 2* videogame, while my own declaration in support of the motion contains nonpublic information about Bungie's game security and anti-circumvention features.

3. Public disclosure of this information would likely cause Bungie immediate and irreparable harm by exposing Bungie’s trade secrets and proprietary security and anti-circumvention technology to competitors, as well as providing other cheat manufacturers with a how-to manual for attacking *Destiny 2* and harming Bungie. As such, we ask that the Court grant our motion to seal those portions of the supporting declarations containing that information, as well as those portions of the Motion for Default Judgment citing or discussing it.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

DATED this 18th day of January, 2023 at Seattle, WA.

James Barker

4891-8282-6821.1

DECLARATION OF JAMES
BARKER- 2
(Case No. 2:21-cv-01112-TL)

BUNGIE - Declaration of James Barker ISO Motion to Seal

Final Audit Report

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